

DEVELOPMENT REVIEW BOARD REPORT



MEETING DATE: May 20, 2004

ITEM NO. 6

SUBJECT	104th St & Bell Preliminary Plat
REQUEST	<p>Request Preliminary Plat approval for a Master Planned Community of 1,021 single-family residential lots with amended development standards on 780+/- acres</p> <p>9-PP-2004</p> <p>Key Items for Consideration:</p> <ul style="list-style-type: none">• This is a new development/subdivision located north of Bell Road between 96th Street and the base of the McDowell Mountains.• The Development Review Board approved the subdivision layout and stipulations for the west side of Thompson Peak Parkway on May 6, 2004.• Due to layout adjustments on the east side of Thompson Peak Parkway, the east side of the subdivision will be heard on May 20, 2004.• The development will comply with the approved Development Agreement and Master Plans for this master planned community, including the approved Master Environmental Design Concept Plan (MEDCP). <p>Related Policies, References: 24-Z-1991; Infrastructure and Environmental Design Master Plans (1-MP-2004), and Development Agreement (DA# 2004-026-COS)</p>
OWNER	Toll Brothers 480-951-0782
APPLICANT CONTACT	Charles Hare Edmunds Toll Construction Co 480-951-0782
LOCATION	104th Street & Bell Rd.
BACKGROUND	<p>Zoning/History.</p> <p>On May 6, 2004, the Development Review Board approved the subdivision layout and stipulations for the west side of Thompson Peak Parkway. Due to layout changes on the east side of Thompson Peak Parkway, the decision on the east side of the subdivision was continued to May 20, 2004.</p> <p>In March 2004, the City Council entered into a Development Agreement to resolve development issues and issues related to the City's acquisition of 383 acres for the McDowell-Sonoran Preserve (DA# 2004-026-COS). An amendment to make technical changes to the Development Agreement is scheduled for May 17, 2004, City Council hearing.</p>

In March 2004, the Development Review Board approved the Master Environmental Design Concept Plan (MEDCP; Case 1-MP-2004).

In 1991, this 780-acre property was rezoned as part of a master planned community with residential zoning as follows: R1-35 ESL, R1-18 ESL, R1-10 ESL, R1-7 ESL, R1-5 ESL (single-family residential districts in the ESL overlay). (Case 24-Z-1991)

Context.

The 780-acre site is located at the base of the McDowell Mountains and is south of the DC Ranch Master Planned Community, and north of the McDowell Mountain Ranch Master Planned Community. The site abuts the McDowell Sonoran Preserve to the east. The site has relatively constant slopes that are predominately in the 2% to 5% range, however there are portions of the east side of the property that have steeper slopes.

There are three significant drainage features on the site that converge at the existing Bell Road bridge located near the southwest corner of the site. These drainage features are as follows: (1) the Reata drainage corridor along the west side of the property; (2) the South Beardsley Wash bisects the property as it enters from the north; (3) the levee/berm structure that bisects the south side of the property.

APPLICANT'S
PROPOSAL

Goal/Purpose of Request.

This is a request for approval of a 1,021-lot subdivision on 780 acres near the base of the McDowell Mountains north of Bell Road. On May 6, 2004, the Development Review Board approved the subdivision layout and stipulations for the west side of Thompson Peak Parkway. Adjustments to the subdivision layout on the east side of Thompson Peak Parkway have been made to provide sufficient right-of-way to provide future access to the McDowell Sonoran Preserve.

This development includes the completion of Thompson Peak Parkway that will connect the McDowell Mountain Ranch Master Planned Community to the south (at Bell Road) and the DC Ranch Master Planned Community to the north (at the Union Hills Drive alignment). The proposed road and lot locations in the subdivision have been designed to protect and improve existing drainage features and minimize land disturbance. There are limited locations of cuts and fills greater than eight (8) feet, which are shown in detail on the Cut and Fill exhibit of the enclosed presentation packet.

The developer will be utilizing the landscaping and wall treatments approved in the Master Environmental Design Concept Plan (MEDCP). Native plants will be provided along the Bell Road, Thompson Peak Parkway, and drainage corridors. Entrances to the subdivision will be gated with enhanced landscaping. Perimeter subdivision walls will be setback along the major roadways, and be treated with a combination stucco and/or stone. Where needed, concrete scour walls with integrally colored concrete to match the desert soil will be provided. Community buildings, guard houses, and community parks will be consistent with the concepts of the MEDCP and will require separate detailed review by the Development Review Board.

The enclosed presentation packet includes the Preliminary Plat layout and phasing, an Open Space exhibit, Walls Master Plan, Revegetation Master Plan, and Cut & Fill Exhibit.

Amended Development Standards

Amended development standards for reduced lot sizes and setbacks were approved for the R1-18/ESL zoning districts during the 1991 rezoning case. The developer will also use amended development standards for lot sizes and setbacks for the entire subdivision, including the use of flag lots, in order to maximize open space opportunities within the subdivision and minimize land disturbance. The applicant is providing approximately 211 acres (27%) of natural area open space (NAOS) where 204 acres (25%) are required and has reduced the number of lots from 1,785 in the 1991 rezoning case to 1,021 lots.

IMPACT ANALYSIS

Traffic.

Roads have been designed per the approved zoning case, development agreement, and Master Circulation Plan. The subdivision will be accessed from various points off of Bell Road and Thompson Peak Parkway (both of which will be improved). The stipulations detail phasing of roadway improvements east and west of the Thompson Peak Parkway alignment.

Airport Vicinity.

This property is located outside the airport noise influence area, however notice of the airport will be disclosed to future homebuyers as part of the final plat process.

Parking.

All parking within the subdivision will be provided in private garages and driveways. Parking lots will be planned as part the community park design will be internal to the development.

Water/Wastewater.

The applicant is responsible for new water and sewer infrastructure to service the site, and has an approved Water Master Plan and Wastewater Master Plan.

Police/Fire.

Rural/Metro Fire Department has reviewed this plat and it conforms to the minimum requirements for fire access. Police and fire facilities exist within two miles, and no service impacts are anticipated.

Schools.

The subdivision falls within the Scottsdale Unified School District. The School District has been notified of this application, and has stated that there is no capacity issue as long as the plats conform to the densities approved in the original zoning case. This plat is developing at a lesser density than the original zoning case anticipated.

Open space/Scenic Corridors.

Open space will be provided along the drainage corridors, major roadways, and between rows of homes, consistent with the approved Master Environmental Design Concept Plan (MEDCP).

Community Involvement.

The surrounding property owners and property owners' associations have been notified of this request. The applicant has also met with the DC Ranch Master Planned Community and the McDowell Mountain Ranch Master Planned Community. Staff has received many inquires regarding how this development proposal will impact efforts to complete the McDowell-Sonoran Preserve.

STAFF
RECOMMENDATION

Staff recommends approval, subject to the attached stipulations.

RESPONSIBLE
DEPT(S)

Planning and Development Services Department
Current Planning Services

STAFF CONTACT(S)

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ATTACHMENTS

- 1. Applicant's Narrative
- 1A. Amended Development Standards
- 2. Context Aerial
- 2A. Aerial Close-Up
- 3. Zoning Map
- A. Fire Ordinance Requirements
- B. Stipulations/Zoning Ordinance Requirements

Enclosure: Presentation Packet

Preliminary Plat Application Narrative for:

104TH & BELL

LOCATION/DESCRIPTION

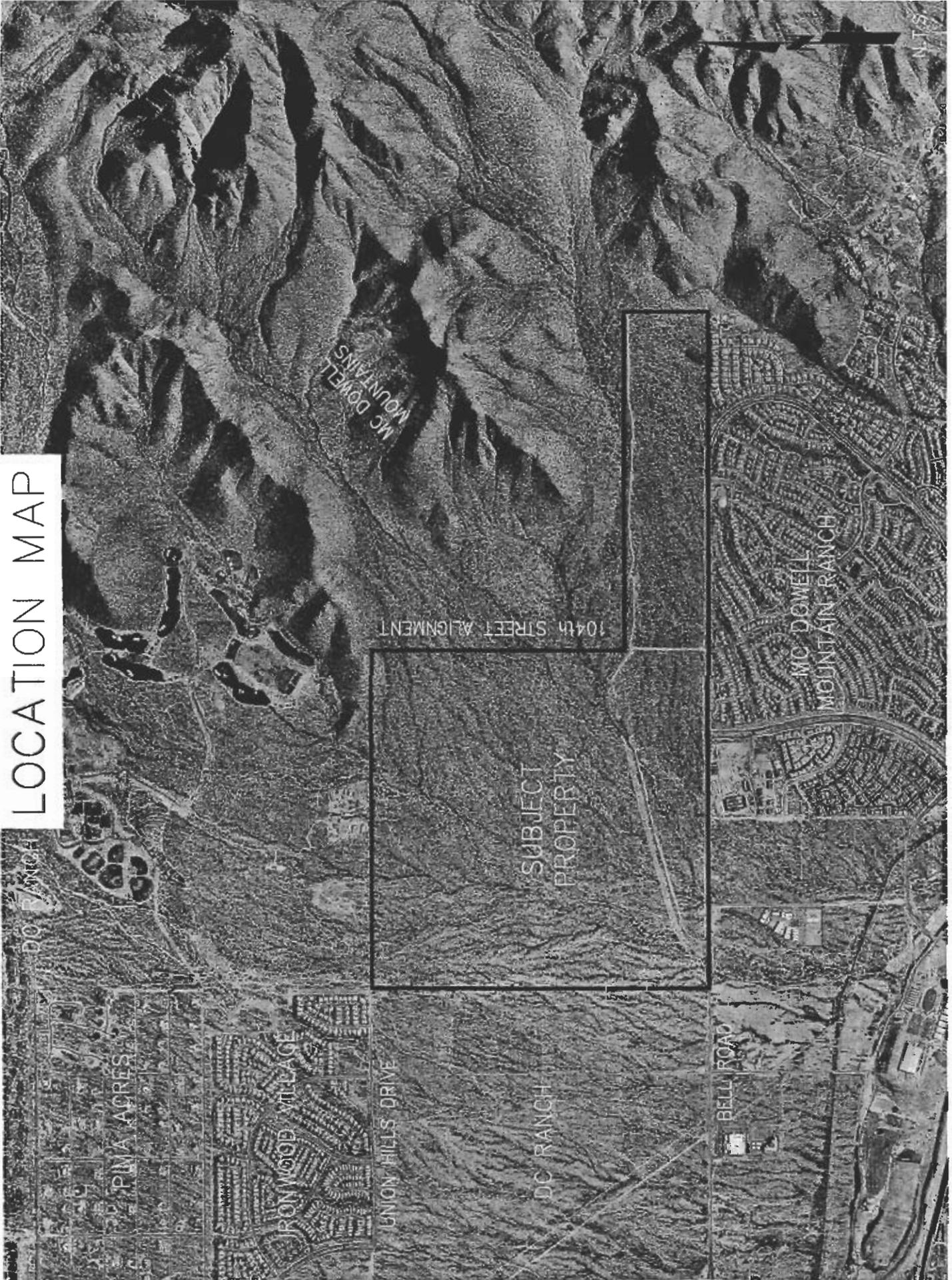
104th & Bell is a proposed master-planned community located north of Bell Road, between 96th Street and the base of the McDowell Mountains to the east. The 800 ± acre community is bordered to the north and west by DC Ranch and to the south by McDowell Mountain Ranch. The overall master plan consists of 780 ± acres of luxury single-family homes, and two commercial parcels totaling 20± acres. This Preliminary Plat includes the 780 acres of residential property.

While Zoning Case 24-Z-91 would permit a total of 1,786 units to be developed on the site that density was reduced by the applicant to 1,420 units through a Development Agreement with the City. The proposed Preliminary Plat depicts a total of 1,026 residential units on 780 acres. Approximately 200 acres of the site would be developed to dedicated Natural Area Open Space (NAOS).

Major infrastructure that will be constructed during the course of development includes roadway and utility improvements to Thompson Peak from Bell Road to the north property line.

The 104th & Bell residential community will be organized into small, interlinked neighborhoods, with a strong community identity. Neighborhood parks and natural open space areas will be found arrayed throughout the community for all homeowners to enjoy. 104th & Bell will also have larger community parks for all of its residents, and a community center with numerous recreational activities. The community will feature an extensive path and trail system interconnecting all neighborhoods and connecting the community to the larger regional network.

LOCATION MAP



ENVIRONMENTAL CONDITIONS

E.S.L.O. Landform

104th & Bell is located predominately within the lower desert landform of the Environmentally Sensitive Lands (ESL) district of Scottsdale. NAOS requirements are based on the appropriate landform and slope category.

Topography

The topography for this parcel gently slopes from the northeast to the southwest at gradients of 2-5%. Crossing the property are one major natural wash (South Beardsley Wash) and one man-made channel (Thompson Peak Channel). The South Beardsley Wash enters the property along the northern boundary and exits within approximately 600 feet east of the southwest property corner.

The Thompson Peak Channel was designed and constructed as part of the City of Scottsdale Bell Road Improvement District to protect development to the south from being inundated by floodwaters originating in the McDowell Mountains. Floodwaters collected by this man-made channel are carried southwest and ultimately discharged at the existing Bell Road Bridge. The Reata Wash Channel will abut the community along its western boundary. The community does not contribute stormwater to the Reata Wash.

Vegetation

The site is typical of the lower Sonoran desert areas of north Scottsdale. It features a diverse mix of desert trees, shrubs, ground covers and cactus. The predominant tree species is the Palo Verde tree while creosote and bursage are the main shrubs. Saguaros and cholla are found throughout the site also. A native plant inventory of the site has been performed and submitted with this application.

Archaeology Survey

An archaeological survey and report has been prepared for the property by S.W.C.A., Inc. Per the S.W.C.A. report and field testing, no further evaluation or study is required.

PRELIMINARY PLAT REQUEST

This application consists of 19 Parcels of residential development that will accommodate a total of 1,026 dwelling units on 780 gross acres. Zoning on the project ranges from R1-5 to R1-35. The R1-7 and R1-10 districts account for 65% ±, 518 acres of the development. The lotting depicted on the Preliminary Plat represents over 35% reduction from the intensity of development, 1,786 dwelling units, approved in the original Zoning Case 24-Z-91.

The Preliminary Plat also depicts the location of natural and improved open space within the project including drainage easements, vista corridors, and scenic corridors.

The location of improved open space, neighborhood and community parks, will be consistent with the approved Master Environmental Design Concept Plan (MEDCP).

PLANNING CONCEPTS

Master Environmental Design Concept Plan

The Master Environmental Design Concept Plan (MEDCP) for 104th & Bell was approved by the Development Review Board on March 18, 2004. The proposed developed will adhere to the community theme elements presented in the MEDCP.

Landscape, and Revegetation

Areas disturbed during construction of roads and/or other utilities will be revegetated pursuant to the approved MEDCP. The development proposed for this site includes approximately 200 acres of dedicated Natural Area Open Space.

Trails and Bicycle Facilities

Trails will be developed according to the approved MEDCP.

Hydrology

Argus Consulting LLC has prepared a drainage analysis of the proposed development. This report is consistent with the approved Master Drainage Plan prepared for 104th & Bell.

Infrastructure

Water, sewage and transportation improvements will be developed to serve the property consistent with city approved master plans. Basis of Design reports for water and wastewater systems accompany this submittal.

Phasing

104th & Bell will be built in four phases. Phases I and II are located west of Thompson Peak Parkway and will contain 285 and 348 dwelling units respectively. While Phases III and IV are located to the east of Thompson Peak Parkway and will contain 215 and 178 dwelling units respectively.

Unstable Slopes and Boulder Rolling

No unstable slopes and/or boulder rolling conditions are present.

AMENDED DEVELOPMENT STANDARDS

Section 7.857.A (Amended Standards) of the ESL ordinance allows for the “Administrative Approval” of Amended Development Standards (AD) currently with the preliminary plat approval process for properties within the ESL district. As stated above, the applicant seeks amendments to the existing development standards to allow for planning and engineering creativity, environmental sensitivity and preservation of the major natural and man-made drainage corridors that impact this site.

Rationale and Benefits

Density has been reduced over 35% to preserve and protect natural area open space. The site contains a wide variety of vegetation, irregular topography, washes and man-made drainage improvements. Lot layouts were designed to accommodate and preserve as many of these elements as possible. The neighborhood layouts have been designed to minimize the disturbance to drainage corridors while maximizing the relationship to these natural amenities. Varied lot sizes and widths allow more flexibility in the layouts and accommodate roadway alignments that are more compatible with the irregular terrain.

The proposed lot size adjustments will not be utilized on every lot. In order to respond to the site characteristics described above, some lots will be smaller than the standard minimum lot size. The reductions allow for design flexibility for home site locations and roadway placement.

Specific benefits of these minor amendments include:

- Accommodation of natural and man-made wash corridors exceeding 300-feet in width.
- Provision of meandering street layouts that more closely follow the topography.
- Consistent envelope configurations that maximize NAOS in locations with important natural features.

NEIGHBORHOOD CONTACT AND INPUT

Toll Brothers, Inc. has met to involve the local neighbors in the development of this project. The communication has resulted in little or no opposition to the preliminary plat.

Communications with adjacent neighbors and associations will be on-going through the course of development.

Preliminary Plat Application Narrative for:

104TH & BELL

Submitted March 31, 2004

APPENDIX CONTENTS:

- Amended Lot Standards for 104th & Bell

APPENDIX

Amended Development Standards

Amended Development Standards for Zoning Districts R1-35, R1-10, R1-7 and R1-5 are indicated in legislative mark-up form of the City of Scottsdale's Basic Zoning Ordinance, Appendix B. Zoning District R1-18 is shown as amended by City Council in Zoning Case 24-Z-91.

Sec. 5.200. (R1-35) SINGLE-FAMILY RESIDENTIAL DISTRICT.

such lot may be used for any purpose permitted in this section.

Sec. 5.201. Purpose.

This district is intended to promote and preserve residential development. The minimum lot size, although less than one (1) acre, still results in a low density of population. The principle land use is single-family dwellings and uses incidental or accessory thereto, together with required recreational, religious and educational facilities.

Sec. 5.202. Use Regulations.

A. *Permitted uses.* Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged for the following uses:

Any use permitted in the (R1-43) single-family residential district. (See section 5.102A).

B. *Uses permitted by conditional use permit.* Any use permitted by conditional use permit in the (R1-43) district. (See section 5.102B).
(Ord. No. 3048, § 2, 10-7097; Ord. No. 3034, § 1, 11-4-97; Ord. No. 3103, § 1, 1-6-98; Ord. NO. 3493, § 1, 3-4-03)

Sec. 5.203. Approvals required.

Prior to development of any municipal use, or any use requiring a conditional use permit, Development Review Board approval shall be obtained as outlined in article I, section 1.900 hereof.
(Ord. No. 3225, § 1, 5-4-99)

Sec. 5.204. Property development standards.

The following property development standards shall apply to all land and buildings in the R1-35 district:

A. Lot Area.

1. Each Lot shall have a minimum lot area of not less than ~~thirty-five thousand (35,000)~~ **twenty-eight thousand (28,000)** square feet.
2. If a parcel of land or a lot of record in separate ownership has less width or area than herein required and has been lawfully established and recorder prior to the date of passage of this ordinance,

B. Lot dimension.

1. Width. All lots shall have a minimum width of one hundred thirty-five (135) feet. "FLAG LOTS" shall have a **minimum width of twenty (20) feet measured at the right-of-way line.** ~~CUL-DE-SAC LOTS OR OTHER UNIQUE LOTS MAY HAVE A MINIMUM WIDTH OF ONE HUNDRED THIRTY-FIVE (135) FEET MEASURED PER CITY ORDINANCE DEFINITION. THE MINIMUM LOT WIDTH OF THE MAIN PART OF THE LOT SHALL BE ONE HUNDRED THIRTY-FIVE (135) FEET.~~

C. *Density.* There shall not be more than one (1) single-family dwelling unit on any one (1) lot.

D. *Building height.* No building shall exceed thirty (30) feet in height, except as provided in article VII.

E. Yards.

1. Front Yard.

- a. There shall be a front yard having a depth of not less than ~~forty (40)~~ **thirty (30)** feet.
- b. Where lots have double frontage on two (2) streets, the required front yard of ~~forty (40)~~ **thirty (30)** feet shall be provided on both sides.
- c. On a corner lot, the required front yard of ~~forty (40)~~ **thirty (30)** feet shall be provided on each street. No accessory buildings shall be constructed in a front yard. *Exception:* on a corner lot which does not abut a key lot, accessory buildings may be constructed in the yard facing the side street.

2. Side yard. There shall be side yards of not less than ~~fifteen (15)~~ **eleven and**

- one quarter (11.25) feet on each side of the building.
3. Rear Yard. There shall be a rear yard having a depth of not less than ~~thirty-five (35)~~ twenty-six and one quarter (26.25) feet.
 4. Other requirements and exceptions as specified in article VII.

F. *Distance between buildings.*

1. There shall be not less than ten (10) feet between an accessory building and the main building.
2. The minimum distance between main buildings on adjacent lots shall be not less than ~~thirty (30)~~ twenty-two and one half (22.5) feet.

G. *Building, walls, fences and landscaping.* Walls, fences and hedges not to exceed (8) feet in height shall be permitted on the property line or within the required side or rear yard. Walls, fences and hedges shall not exceed three (3) feet in height on the front property line or within the required front yard, except as provided in article VII. The height of the wall or fence is measured from the inside of the enclosure. *Exception:* where a corner lot does not abut a key lot or an alley adjacent to a key lot, the height of walls, fences and hedges in the yard facing the side street need only conform to the side yard requirements.

H. *Access.* All lots shall have vehicular access on a dedicated street, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

I. *Corral.* ~~Corral not to exceed six (6) feet in height shall be permitted on the property line or within the required front, side, or rear yard.~~ Corrals are not allowed.

(Ord. No. 2509, § 1, 6-1-93)

Sec. 5.205. Off-street parking

The provisions of article IX shall apply

Sec. 5.207. Signs.

The provisions of Article VIII shall apply.

Sec. 5.300. (R1-18) SINGLE-FAMILY RESIDENTIAL DISTRICT.

Sec. 5.301. Purpose.

This district is intended to promote and preserve residential development. Lot size is such that a low density of population is still maintained. Land use is composed chiefly of individual homes, together with required recreation, religious and educational facilities as the basic elements of a balanced neighborhood.

Sec. 5.302. Use Regulations.

A. Permitted uses. Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged for the following uses:

Any use permitted in the (R1-43) single-family residential district. (See section 5.102A).

B. Uses permitted by conditional use permit. Any use permitted by conditional use permit in the (R1-43) district. (See section 5.102B). (Ord. No. 3048, § 2, 10-7097; Ord. No. 3034, § 1, 11-4-97; Ord. No. 3103, § 1, 1-6-98; Ord. NO. 3493, § 1, 3-4-03)

Sec. 5.303. Approvals required.

Prior to development of any municipal use, or any use requiring a conditional use permit, Development Review Board approval shall be obtained as outlined in article I, section 1.900 hereof. (Ord. No. 3225, § 1, 5-4-99)

Sec. 5.304. Property development standards.

The following property development standards shall apply to all land and buildings in the R1-18 district:

A. Lot Area.

1. Each Lot shall have a minimum lot area of not less eleven thousand (11,000) square feet.
2. If a parcel of land or a lot of record in separate ownership has less width or area than herein required and has been lawfully established and recorder prior to the date of passage of this ordinance, such lot may be used for any purpose permitted in this section.

B. Lot dimension.

1. Width. All lots shall have a minimum width of ninety-two (92) feet. "FLAG

LOTS' shall have a minimum width of twenty (20) feet measured at the right-of-way line. ~~-, CUL-DE-SAC LOTS OR OTHER UNIQUE LOTS MAY HAVE A MINIMUM WIDTH OF NINETY TWO (92) FEET MEASURED PER CITY ORDINANCE DEFINITION. THE MINIMUM LOT WIDTH OF THE MAIN PART OF THE LOT SHALL BE NINETY-TWO (92) FEET.~~

C. Density. There shall not be more than one (1) single-family dwelling unit on any one (1) lot.

D. Building height. No building shall exceed thirty (30) feet in height, except as provided in article VII.

E. Yards.

1. Front Yard.

- a. There shall be a front yard having a depth of not less than twenty-five (25) feet.
- b. Where lots have double frontage on two (2) streets, the required front yard of twenty-five (25) feet shall be provided on both sides.
- c. On a corner lot, the required front yard of twenty-five (25) feet shall be provided on the street defined as the front yard. The street frontage on the side yard shall have a setback of fifteen (15) feet. No accessory buildings shall be constructed in a front yard. *Exception:* on a corner lot which does not abut a key lot, accessory buildings may be constructed in the yard facing the side street.

2. Side yard. There shall be a side yard on each side of a building having a width of not less than ten (10).

3. Rear Yard. There shall be a rear yard having a depth of not less than twenty-five (25) feet.

4. Other requirements and exceptions as specified in article VII.

F. Distance between buildings.

1. There shall be not less than ten (10) feet between an accessory building and the main building.

2. The minimum distance between main buildings on adjacent lots shall be not less than twenty (20) feet.

G. Building, walls, fences and landscaping. Walls, fences and hedges not to exceed (8) feet in height shall be permitted on the property line or within the required side or rear yard. Walls, fences and hedges shall not exceed three (3) feet in height on the front property line or within the required front yard, except as provided in article VII. The height of the wall or fence is measured from the inside of the enclosure. *Exception:* where a corner lot does not abut a key lot or an alley adjacent to a key lot, the height of walls, fences and hedges in the yard facing the side street need only conform to the side yard requirements.

H. Access. All lots shall have vehicular access on a dedicated street, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

I. Corral. Corrals are not allowed.

(Ord. No. 2509, § 1, 6-1-93)

Sec. 5.305. Off-street parking

The provisions of article IX shall apply

Sec. 5.306. Signs.

The provisions of Article VIII shall apply.

Sec. 5.400. (R1-10) SINGLE-FAMILY RESIDENTIAL DISTRICT.

Sec. 5.301. Purpose.

This district is intended to promote and preserve residential development. Lot size permits a higher density of population. The principle land is composed chiefly of individual homes, together with required recreation, religious and educational facilities as the basic elements of a balanced neighborhood.

Sec. 5.402. Use Regulations.

A. *Permitted uses.* Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged for the following uses:

Any use permitted in the (R1-43) single-family residential district. (See section 5.102A).

B. *Uses permitted by conditional use permit.* Any use permitted by conditional use permit in the (R1-43) district. (See section 5.102B). (Ord. No. 3048, § 2, 10-7097; Ord. No. 3034, § 1, 11-4-97; Ord. No. 3103, § 1, 1-6-98; Ord. NO. 3493, § 1, 3-4-03)

Sec. 5.403. Approvals required.

Prior to development of any municipal use, or any use requiring a conditional use permit, Development Review Board approval shall be obtained as outlined in article I, section 1.900 hereof. (Ord. No. 3225, § 1, 5-4-99)

Sec. 5.404. Property development standards.

The following property development standards shall apply to all land and buildings in the R1-35 district:

A. *Lot Area.*

1. Each Lot shall have a minimum lot area of not less than ~~ten thousand (10,000)~~ **eight thousand, four hundred (8,400)** square feet.
2. If a parcel of land or a lot of record in separate ownership has less width or area than herein required and has been lawfully established and recorder prior to the date of passage of this ordinance, such lot may be used for any purpose permitted in this section.

B. *Lot dimension.*

1. Width. All lots shall have a minimum width of ~~eighty (80)~~ **seventy (70)** feet. "FLAG LOTS" shall have a minimum width of ~~twenty (20)~~ **twenty (20)** feet measured at ~~the right-of-way line.~~ ~~CUL-DE-SAC LOTS OR OTHER UNIQUE LOTS MAY HAVE A MINIMUM WIDTH OF EIGHTY (80) FEET MEASURED PER CITY ORDINANCE DEFINITION. THE MINIMUM LOT WIDTH OF THE MAIN PART OF THE LOT SHALL BE EIGHTY (80)-~~ **SEVENTY (70)** FEET.

C. *Density.* There shall not be more than one (1) single-family dwelling unit on any one (1) lot.

D. *Building height.* No building shall exceed thirty (30) feet in height, except as provided in article VII.

E. *Yards.*

1. Front Yard.

- a. There shall be a front yard having a depth of not less than ~~thirty (30)~~ **twenty-two and one half (22.5)** feet.
- b. Where lots have double frontage on two (2) streets, the required front yard of ~~thirty (30)~~ **twenty-two and one half (22.5)** feet shall be provided on both sides.
- c. On a corner lot, the required front yard of ~~thirty (30)~~ **twenty-two and one half (22.5)** feet shall be provided on each street. No accessory buildings shall be constructed in a front yard. *Exception:* on a corner lot which does not abut a key lot, accessory buildings may be constructed in the yard facing the side street.

2. Side yard. There shall be a side yard on each side of a building having an aggregate width of not less than ~~seven (7)~~ **five and one quarter (5.25)** feet.

3. Rear Yard. There shall be a rear yard having a depth of not less than ~~twenty-five (25)~~ **twenty (20)** feet.

- a. The main building or additions to the main building may extend into the required rear

The provisions of Article VIII shall apply.

yard subject to the following requirements:

(1) The main building or additions to the main building shall be set back fifteen (15) feet from the rear property line.

(2) The main building or addition to the main building shall not occupy more than thirty (30) percent of the area between the rear setback line and the rear property line.

- 4. Other requirements and exceptions as specified in article VII.

F. *Distance between buildings.*

- 1. There shall be not less than ten (10) feet between an accessory building and the main building.
- 2. The minimum distance between main buildings on adjacent lots shall be not less than ~~fourteen (14)~~ **ten and one half (10.5)** feet.

G. *Building, walls, fences and landscaping.* Walls, fences and hedges not to exceed (8) feet in height shall be permitted on the property line or within the required side or rear yard. Walls, fences and hedges shall not exceed three (3) feet in height on the front property line or within the required front yard, except as provided in article VII. The height of the wall or fence is measured from the inside of the enclosure.

Exception: where a corner lot does not abut a key lot or an alley adjacent to a key lot, the height of walls, fences and hedges in the yard facing the side street need only conform to the side yard requirements.

H. *Access.* All lots shall have vehicular access on a dedicated street, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

I. *Corral.* ~~Corral not to exceed six (6) feet in height shall be permitted on the property line or within the required front, side, or rear yard.~~ **Corrals are not allowed.**

(Ord. No. 2509, § 1, 6-1-93)

Sec. 5.405. Off-street parking

The provisions of article IX shall apply

Sec. 5.406. Signs.

Sec. 5.500. (R1-7) SINGLE-FAMILY RESIDENTIAL DISTRICT.

Sec. 5.501. Purpose.

This district is intended to promote and preserve urban single-family residential development. Lot size permits the highest density of population attainable in a single-family residential district. The principle land use is single-family dwelling. Uses incidental or accessory dwellings, recreations, religious and educational facilities are included.

Sec. 5.502. Use Regulations.

A. *Permitted uses.* Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged for the following uses:

Any use permitted in the (R1-43) single-family residential district. (See section 5.102A).

B. *Uses permitted by conditional use permit.* Any use permitted by conditional use permit in the (R1-43) district. (See section 5.102B). (Ord. No. 3048, § 2, 10-7097; Ord. No. 3034, § 1, 11-4-97; Ord. No. 3103, § 1, 1-6-98; Ord. NO. 3493, § 1, 3-4-03)

Sec. 5.503. Approvals required.

Prior to development of any municipal use, or any use requiring a conditional use permit, Development Review Board approval shall be obtained as outlined in article I, section 1.900 hereof. (Ord. No. 3225, § 1, 5-4-99)

Sec. 5.504. Property development standards.

The following property development standards shall apply to all land and buildings in the R1-7 district:

A. *Lot Area.*

1. Each Lot shall have a minimum lot area of not less than ~~seven thousand (7,000)~~ **five thousand, nine hundred and fifty (5,950)** square feet.
2. If a parcel of land or a lot of record in separate ownership has less width or area than herein required and has been lawfully established and recorder prior to the date of passage of this ordinance, such lot may be used for any purpose permitted in this section.

B. *Lot dimension.*

1. Width. All lots shall have a minimum width of ~~seventy (70)~~ **fifty-two and one half (52.5)** feet. "FLAG LOTS" shall have a minimum width of **twenty (20) feet measured at the right-of-way line.** ~~CUL DE SAC LOTS OR OTHER UNIQUE LOTS MAY HAVE A MINIMUM WIDTH OF SEVENTY (70) FEET MEASURED PER CITY ORDINANCE DEFINITION. THE MINIMUM LOT WIDTH OF THE MAIN PART OF THE LOT SHALL BE SEVENTY (70).~~ **FIFTY-TWO AND ONE HALF (52.5) FEET.**

C. *Density.* There shall not be more than one (1) single-family dwelling unit on any one (1) lot.

D. *Building height.* No building shall exceed thirty (30) feet in height, except as provided in article VII.

E. *Yards.*

1. Front Yard.

- a. There shall be a front yard having a depth of not less than ~~twenty (20)~~ **fifteen (15)** feet.
- b. Where lots have double frontage on two (2) streets, the required front yard of ~~twenty (20)~~ **fifteen (15)** feet shall be provided on both sides. These requirements apply to setbacks only and fences, pools and accessory buildings can be maintained in one (1) yard.
- c. Where a lot is located at the intersection of two or more streets, there shall be a yard conforming to the front yard requirements on the street with the narrowest frontage and a yard of not less than five (5) feet on the intersecting street. *Exception:* Where a corner lot abuts a key lot or an ally, there shall be a yard of not less than ten (10) feet on the intersecting street.

2. Side yard.

- a. There shall be a side yard on each side of a building having an aggregate width of not less than ~~fourteen (14)~~ **ten and one half (10.5)** feet, provided,

however, the minimum side yard shall not be less than five (5) feet in width.

- b. No accessory building shall be located in the required side yard abutting the street. A private garage, whether attached or detached, having perpendicular access from the side street shall be located not less than twenty (20) feet from the side property line abutting the said street.
 - c. Attached carports which are structurally integrated with similar or compatible building materials to the roof system of the main building may be constructed on the property line, providing that the carport does not abut a carport, garage or similar structure on the adjacent residential lot, and providing the real property owner adjacent to the proposed carport grants the city a five (5) feet non-buildable easement to be filed with the planning department. Where there is a conflict between the structures allowed under this section, and section 5.504.F. (distance between buildings) this side yard regulation shall govern development.
3. Rear Yard. There shall be a rear yard having a depth ~~twenty five (25)~~ **eighteen and three quarters (18.75)** feet or ~~twenty two (22)~~ **sixteen and one half (16.5)** where the property owner has dedicated a minimum of eight (8) feet for alley purposes.
 - a. The main building or additions to the main building may extend into the required rear yard subject to the following requirements:
 - (1) The main building or additions to the main building shall be set back fifteen (15) feet from the rear property line or twelve (12) feet where the property owner has dedicated a minimum of eight (8) feet for alley purposes.
 - (2) The main building or addition to the main building

shall not occupy more that thirty (30) percent of the area between the rear setback line and the rear property line.

4. Other requirements and exceptions as specified in article VII.

F. Distance between buildings.

1. There shall be not less than ten (10) feet between an accessory building and the main building.
2. The minimum distance between main buildings on adjacent lots shall be not less than ~~fourteen (14)~~ **ten and one half (10.5)** feet.

G. Building, walls, fences and landscaping.

1. Walls, fences and hedges not to exceed (8) feet in height shall be permitted on the property line or within the required side or rear yard. Walls, fences and hedges shall not exceed three (3) feet in height on the front property line or within the required front yard, except as provided in article VII and subsection 2 below. The height of the wall or fence is measured from the inside of the enclosure.
2. In the front yard walls and fences of maximum six (6) feet in height are allowed provided:
 - a. The yard enclosed by such wall or fence shall not include more than forty (40) percent of the area between the front property line and the front setback line.
 - b. The wall or fence shall be set back three (3) feet from the front property line.
 - c. The provisions of section 7.104 shall apply on corner lots.
3. In the required front yard patio covers are allowed when in conjunction with the enclosure of the front yard subject to the following requirements.
 - a. The area encompassed by the patio cover shall not include more than twenty (20) percent of the area between the front property line and the front setback line.
 - b. The patio cover shall be set back a minimum of ten (10)

Sec. 5.550. (R1-5) SINGLE-FAMILY RESIDENTIAL DISTRICT.

Sec. 5.551. Purpose.

This district is intended to provide an urban single-family residential development. This district is the most intense single-family district and provides a patio home style of development. It should provide a transition between attached multi-family residential areas and modest density single-family residential areas. Uses incidental or accessory to dwellings, recreational, religious and educational facilities are included.

Sec. 5.552. Use Regulations.

A. Permitted uses. Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Any use permitted in the (R1-43) single-family residential district. (See section 5.102A).

B. Uses permitted by conditional use permit. Any use permitted by conditional use permit in the (R1-43) district. (See section 5.102B). (Ord. No. 3048, § 2, 10-7097; Ord. No. 3034, § 1, 11-4-97; Ord. No. 3103, § 1, 1-6-98; Ord. NO. 3493, § 1, 3-4-03)

Sec. 5.553. Approvals required.

Development Review Board approval shall be obtained as outline in article I, section 1.900 hereof, prior to development of any municipal use, or any use requiring a conditional use permit, or for any common recreation facilities, guard houses, perimeter walls or common area landscaping. (Ord. No. 2293, § 1, 5-5-90; Ord. No. 3225, s 1, 5-4-99)

Sec. 5.554. Property development standards.

The following property development standards shall apply to all land and buildings in the R1-5 district:

A. Lot Area.

1. Each Lot shall have a minimum lot area of not less four thousand seven hundred (4,700) square feet.

B. Lot dimension.

1. Width. All lots shall have a minimum width of forty-five (45) feet. "FLAG LOTS' shall have a minimum width of twenty (20) feet measured at the right-of-way line. CUL-DE-SAC LOTS OR OTHER UNIQUE LOTS

~~MAY HAVE A MINIMUM WIDTH OF FORTY FIVE (45) FEET MEASURED PER CITY ORDINANCE DEFINITION. THE MINIMUM LOT WIDTH OF THE MAIN PART OF THE LOT SHALL BE FORTY FIVE (45) FEET.~~

2. Lot depth. All lots shall have a minimum depth of eighty five (85) feet.

C. Density. There shall not be more than one (1) single-family dwelling unit on any one (1) lot.

D. Building height. No building shall exceed thirty (30) feet in height, except as provided in article VII.

E. Yards.

1. Front Yard.

- a. There shall be a front yard which provides the following setbacks:
 1. ~~Fifteen (15)~~ **Twelve (12)** feet from the property line to the main building.
- b. Where lots have double frontage on two (2) streets, the required yard where access is not provided shall be:
 1. ~~Fifteen (15)~~ **Twelve (12)** feet from the property line where the street is a local residential street.
 2. ~~Twenty-five (25)~~ **Twenty (20)** feet from the property line where the street is a collector, arterial, parkway, expressway, or freeway classification.

These requirements do not apply to fences and walls, pools and accessory buildings.

- c. Where a lot is located at the intersection of two (2) or more streets there shall be a yard conforming to the front yard requirements on the street with the narrowest frontage and a yard of not less than ten (10) feet in depth from the property line to the main building.

2. Side yards.
 - a. There shall be side yard on each side of the building of zero (0) feet or five (5) feet or more.
 - b. There shall be an aggregate side yard width of ten (10) feet.
 - c. If there is to be a side yard setback of zero (0) feet, all side yards for lots within the residential block where the zero (0) side yards occur shall be clearly identified on the recorded subdivision plat.
3. Rear Yard. There shall be a rear yard of:
 - a. Fifteen (15) feet where the rear yard abuts R1-5, R-4, R-4R, R-3, R-5, commercial, office, industrial or open space districts; or
 - b. ~~Twenty five (25)~~ **Twenty (20)** feet where the rear yard abuts other R1 (single-family) districts.
4. Other requirements and exceptions as specified in article VII.

F. Garage Setbacks

1. The garage or carport shall be setback from the back of street improvements according to the following table.

<i>Angle of the face of the Garage from parallel to The street</i>	<i>Minimum Setback</i>
0° (parallel) to 29°	20'
30° to 44°	17'
45° to 59°	14'
60° +	10'

In no case shall the garage or carport face be closer to the property line than ten (10) feet.

2. The sides and rear walls of a garage or carport conform to the standard main building yard requirements.

G. Distance between buildings.

1. There shall be not less than eight (8) feet between an accessory building and the main building.

2. The minimum distance between main buildings on adjacent lots shall be not less than ten (10) feet.

H. Building, walls, fences and landscaping.

1. Walls, fences and hedges not to exceed (8) feet in height shall be permitted on the property line or within the required side or rear yard. Walls, fences and hedges shall not exceed three (3) feet in height on the front property line or within the required front yard, except as provided in article VII, subsection E.1.b. above and subsection 2 below. The height of the wall or fence is measured from inside of the enclosure.
2. In the front yard walls and fences a maximum of six (6) feet in height are allowed provided:
 - a. The yard enclosed by such wall or fence shall not include more than thirty-three (33) percent of the area between the front property line and front setback line.
 - b. The wall or fence shall be setback three (3) feet from the front property line.
 - c. The provisions of section 7.104 shall apply on corner lots.
3. In the required front yard patio covers are allowed when in conjunction with the enclosure of the front yard (as provided in section 5.554. H.2) subject to the following requirements.
 - a. The area encompassed by the patio cover shall not include more than twenty (20) percent of the area between the front property line and the front setback line.
 - b. The patio cover shall be setback a minimum of ten (10) feet from the front property line.
 - c. The patio cover shall be structurally integrated with similar or compatible building materials to the roof system of the main building.

- d. The patio cover shall be constructed so that a minimum of fifty (50) percent of the roof structure is open and unobstructed to the sky.

1. *Access.* All lots shall have vehicular access on a dedicated street, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(Ord. No. 2293, § 1, 5-15-90; Ord. No. 2509, § 1, 6-1-93)

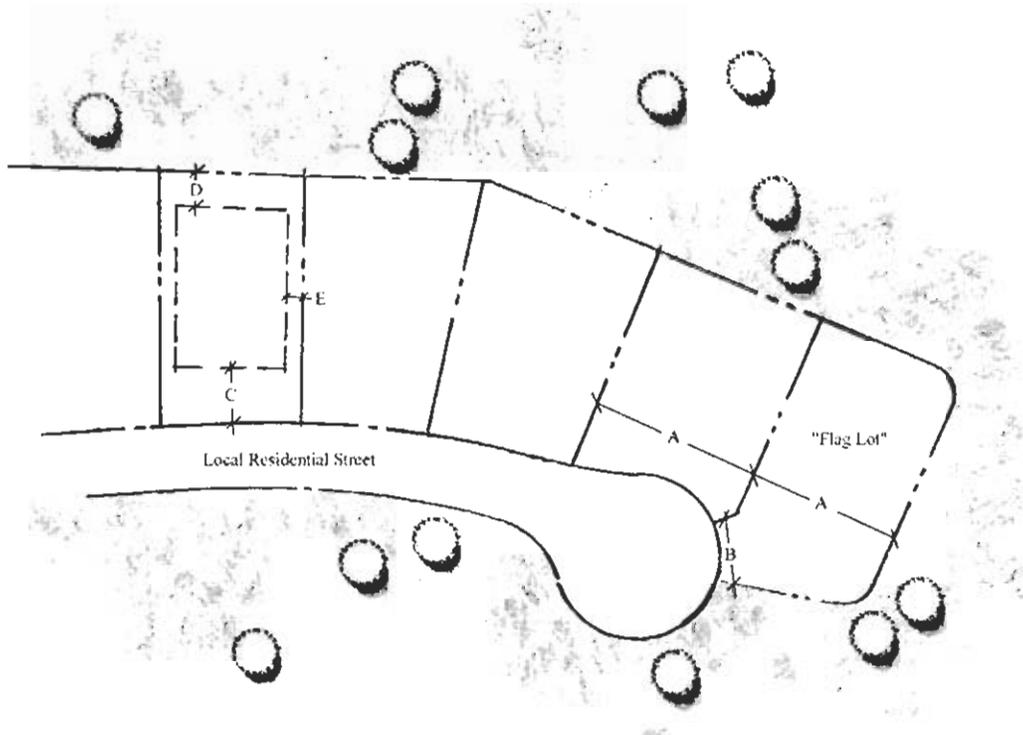
Sec. 5.555. Off-street parking

The provisions of article IX shall apply
(Ord. No. 2293, § 1, 5-15-90)

Sec. 5.556. Signs.

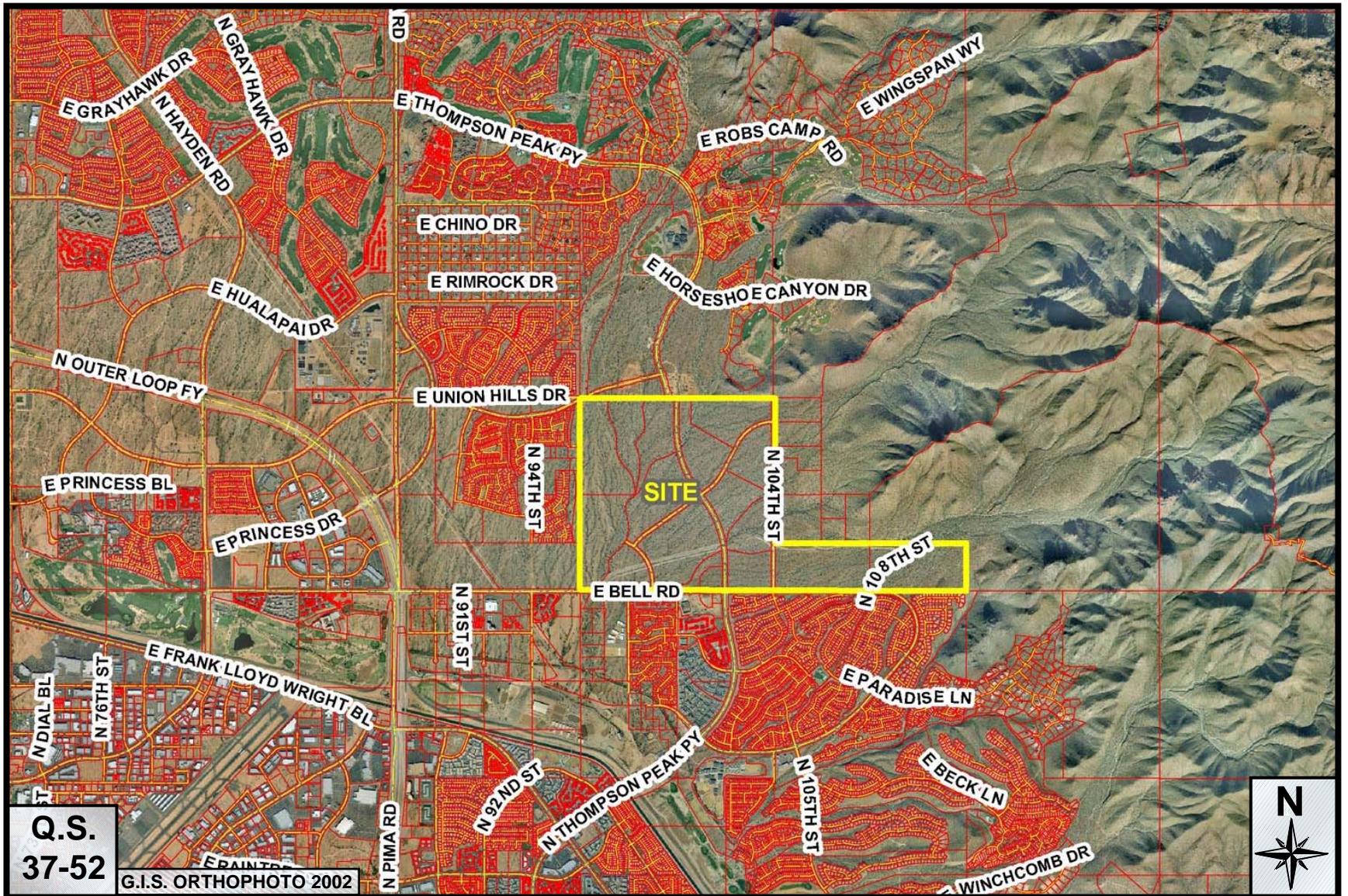
The provisions of Article VIII shall apply.
(Ord. No. 2293, § 1, 5-15-90)

The following graphic indicates amended development standards for 104th and Bell. Note that specific development standards vary within each zoning classification.



Proposed Site Development Standards:

- A. Minimum Lot Width
- B. Min. Width – Flag Lot
- C. Front Yard Setback
- D. Rear yard Setback
- E. Side Yard Setback



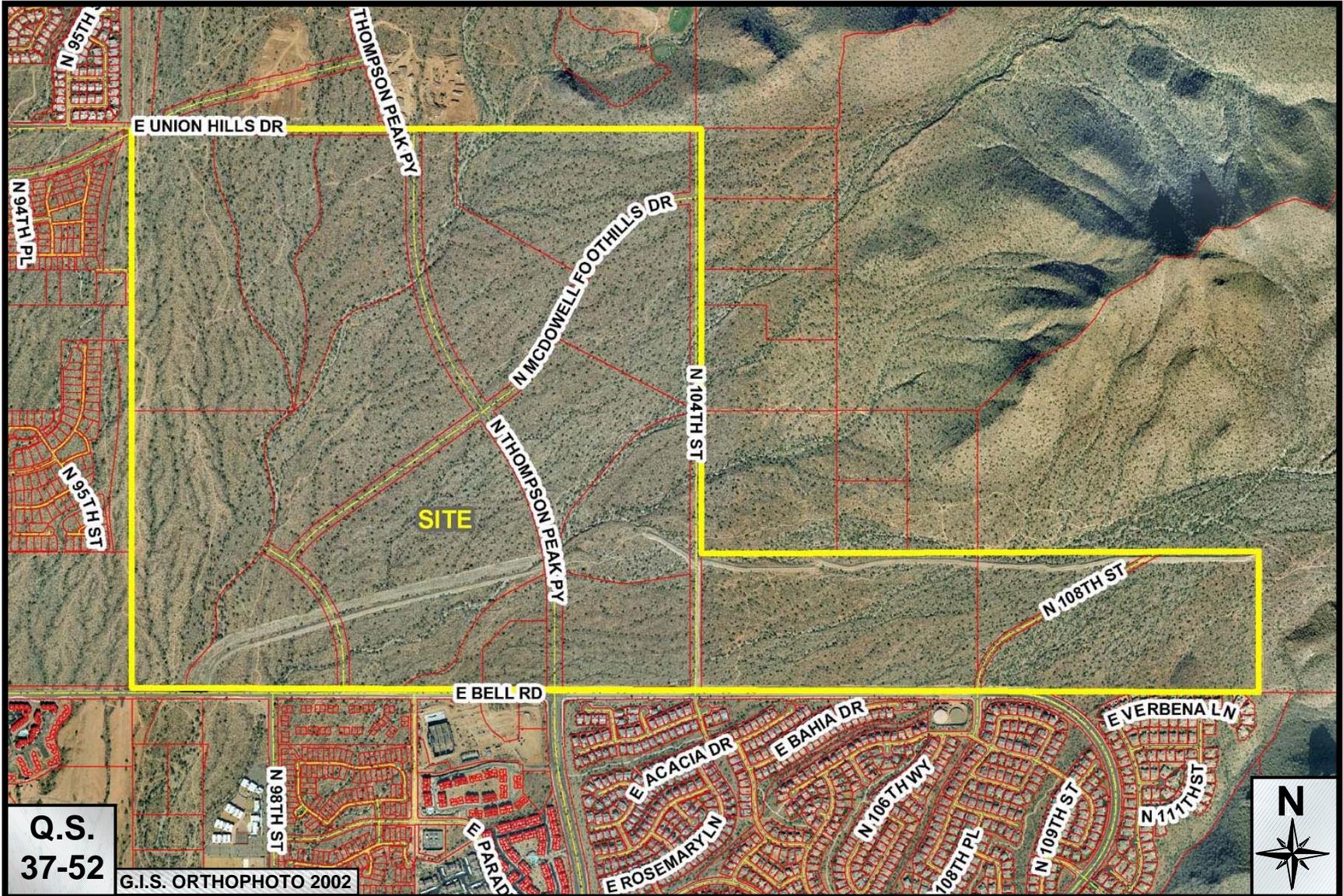
Q.S.
37-52

G.I.S. ORTHOPHOTO 2002

104th St. & Bell Rd.

9-PP-2004

ATTACHMENT #2



Q.S.
37-52

G.I.S. ORTHOPHOTO 2002

104th St. & Bell Rd.

9-PP-2004

ATTACHMENT #2A

104TH. ST. & BELL
(TOLL BROS) N./BELL
& 96TH. STREET

FIRE ORDINANCE REQUIREMENTS

(INCORPORATE THE DESIGNATED STIPULATIONS INTO FINAL PLAT)

1. PREMISES IDENTIFICATION TO BE LEGIBLE FROM STREET OR DRIVE & MUST BE ON ALL PLANS.
2. FIRE LANES & EMERGENCY ACCESS SHALL BE PROVIDED & MARKED IN COMPLIANCE WITH CITY ORDINANCE & IFC AT THE FOLLOWING LOCATIONS.
- INGRESS & EGRESS DRIVES SHALL BE A MIN. 20'-00" EACH. SEE THE D. R. SITE PLAN FOR THE FIRE LANE LOCATIONS.
3. IT IS THE DEVELOPERS RESPONSIBILITY TO DETERMINE ULTIMATE COMPLIANCE WITH THE FAIR HOUSING ADMENDMENTS ACT & AMERICANS WITH DISABILITIES ACT & INCORPORATE SAME INTO THEIR BUILDING PLANS.
4. PROVIDE A KNOX ACCESS SYSTEM:
- A. KNOX BOX
 - B. PADLOCK
 - C. KNOX OVERRIDE & PRE-EMPTION STROBE SWITCH FOR AUTOMATIC GATES.
5. ADD 2-1/2" WET FIRE HOSE VALVES (NSHT) IF FLOOR AREA EXCEEDS 10,000 SQ. FT. PER FLOOR LEVEL AND/OR IF FIRE DEPT. ACCESS IS LIMITED TO LESS THAN 360°. _____
6. PROVIDE ALL WEATHER ACCESS ROAD (MIN. 16') TO ALL BUILDINGS & HYDRANTS FROM PUBLIC WAY DURING CONSTRUCTION.
7. NUMBER OF FIRE HYDRANTS REQUIRED, 103. DEVELOPER SHALL HAVE THE REQUIRED HYDRANTS INSTALLED & OPERABLE PRIOR TO THE FOOTING INSPECTION. HYDRANTS SHALL BE SPACED AT A MAXIMUM OF _____ AT _____ GPM. THE DEVELOPER SHALL MAKE THE C.O.S. APPROVED CIVIL WATER PLANS AVAILABLE TO THE FIRE SPRINKLER CONTRACTOR.
8. SPRINKLER SYSTEM SHALL BE INSTALLED TO COMPLY WITH MINIMUM NFPA CRITERIA 2002 EDITION & SCOTTSDALE REVISED CODES. SYSTEMS WITH 100 HEADS OR MORE SHALL HAVE OFF-SITE MONITORING. AFTER BUILDING PLAN REVIEW, INSTALLING CONTRACTOR SHALL SUBMIT (3) THREE COMPLETE SETS OF DRAWINGS & HYDRAULIC CALCULATIONS REVIEWED BY A MINIMUM NICET III DESIGN TECHNICIAN.
9. MODIFIED NFPA 13-D SYSTEM (2002 EDITION) WITH RESIDENTIAL QUICK RESPONSE SPRINKLER HEADS.
10. MODIFIED NFPA 13R SYSTEM (2002 EDITION) WITH RESIDENTIAL QUICK RESPONSE SPRINKLER HEADS IN DWELLING UNITS & ATTIC AREAS FED FROM SEPARATE FIRELINE PER C.O.S. ORDINANCE & INTERPRETATIONS & APPLICATIONS. CALCULATE UP TO FOUR REMOTE HEADS & 900 SQ FT MIN. IN ATTIC.
11. NFPA (2002 EDITION) COMMERCIAL SYSTEM / DESIGN CRITERIA:
12. BACKFLOW PREVENTION WILL BE REQUIRED ON VERTICAL RISER FOR CLASS 1 & 2 FIRE SPRINKLER SYSTEMS PER SCOTTSDALE REVISED CODE.
13. FIRELINE, SPRINKLER & STANDPIPE SYSTEM SHALL BE FLUSHED & PRESSURE TESTED PER NFPA STANDARDS & SCOTTSDALE REVISED CODES.
14. FDC SIAMESE CONNECTIONS FOR SPRINKLERS AND/OR STANDPIPES WILL BE LOCATED PER ORDINANCE AND/OR AT AN APPROVED LOCATION. MINIMUM SIZE 2-1/2 x 2-1/2 x _____ (NSHT)
- 4' TO 8' BACK OF CURB; INDEP. WET LINE.
 - WALL MOUNTED - 15' CLEAR OF OPENINGS.
15. ALL STREETS & PRIVATE DRIVEWAYS SHALL BE DESIGNED TO A MIN. 100 YEAR STORM & FOR EMERGENCY VEHICLE ACCESS.-- PROVIDE A LOOPED UNDERGROUND WATER MAIN SYSTEM FOR EACH SUBDIVISION.

**Stipulations for Case:
Case Name: 104th St & Bell Road
Case 9-PP-2004**

Revised Stipulations shown in **BOLD CAPS** and ~~strikethrough~~.

Unless otherwise stated, the developer agrees to complete all requirements prior to final plan approval, to the satisfaction of Project Coordinator and the Final Plans staff.

I. APPLICABLE DOCUMENTS AND PLANS:

1. Except as required by the City Code of Ordinances, Zoning Regulations, Subdivision Regulations, and the other stipulations herein, the site design and construction shall substantially conform to the following documents:
 - a. Zoning Case 24-DR-1991 as clarified under the Development Agreement between the City of Scottsdale, Toll Brothers, Inc, and the Arizona State Land Department (DA# 2004-026-COS) **AS APPROVED IN MARCH 2004 AND AMENDED IN MAY 2004.**
 - b. The 104th St & Bell Road Master Environmental Design Concept Plan (MEDCP), case 1-MP-2004, as stipulated.
 - c. The 104th & Bell Circulation Master Plan; prepared by Kirkham Michael & Associates, Inc., approved as noted on March 11, 2004.
 - d. Water Master Plan for 104th & Bell; prepared by Gilbertson Associates, accepted October 28, 2003.
 - e. Wastewater Master Plan for 104th & Bell; prepared by Gilbertson Associates, accepted October 28, 2003.
 - f. Preliminary Design Report, Basis of Design for Reata Drainage Corridor Between Union Hills Drive and Bell Road; prepared by Wood, Patel & Associates, Inc., jointly for DMB and Toll Brothers, dated August 27, 2003.
 - g. Drainage Plan 104th & Bell; prepared by Argus Consulting, dated March 31, 2004.
 - h. 104th & Bell Master Drainage Plan; prepared by Argus Consulting, approved as noted on March 8, 2004.
 - i. 104th & Bell Water System Basis of Design Report; prepared by Gilbertson Associates, dated 3/31/2004.
 - j. 104th & Bell Wastewater System Basis of Design Report; prepared by Gilbertson Associates, dated 4/1/2004.
 - k. Drainage Study for DC Ranch Planning Units I, III, V, & VI, Union Hills Drive Infrastructure from Loop Road to Thompson Peak Parkway (CFD); prepared by Wood, Patel & Associates, Inc., accepted 11/25/2003.
 - l. The preliminary plat submitted by Gilbertson Associates, Inc., dated April 9, 2004, **AND REVISED ON MAY 14, 2004.**
 - m. The Amended Development Standards submitted by Toll Brothers, Inc., dated April 26, 2004.
 - n. The Cut and Fill exhibit submitted by Gilbertson Associates, Inc., dated April 22, 2004, **AND REVISED ON MAY 14, 2004.**
 - o. Conceptual Walls Master Plans by Greey/Picket dated April 26, 2004, **AND REVISED ON MAY 14, 2004.**

- p. The Natural Area Open Space (NAOS) Analysis exhibit by Gilbertson Associates, Inc., dated March 29, 2004, **AND REVISED ON MAY 14, 2004.**

II. SUBDIVISION PLAT REQUIREMENTS WEST OF THOMPSON PEAK PARKWAY (PHASES I & II)

DEVELOPMENT STANDARDS

DRB Stipulations

- 2. The homeowners' association shall be responsible for the maintenance of the exterior perimeter walls. The developer shall note this requirement on the final plat. Floodwalls shall be maintained in accordance with the Development Agreement.
- 3. The final plat shall identify the use and maintenance of any land not used for residential lots.
- 4. With final plat submittal, the developer shall provide any necessary documentation approved by the Scottsdale Municipal Airport demonstrating proper disclosure of the airport will be provided for the property.

Ordinance

- A. All residential plat(s) shall contain notice of the closest distance to the midpoint of the Scottsdale Airport runway in accordance with the zoning case.
- B. The homeowners' association shall be responsible for the maintenance of the Natural Area Open Space (NAOS), scenic corridors, and vista corridors, except as otherwise provided in the Development

STREET NAME	STREET TYPE	RIGHT-OF-WAY
Loop Road West of TPP (Private)	Local Collector; per Approved Circulation Master Plan	Width varies, 70' min.; per Approved Circulation Master Plan
Internal Divided (Private)	Local Residential; per Approved Circulation Master Plan	Width varies; per Approved Circulation Master Plan
Internal Undivided (Private)	Local Residential; per Approved Circulation Master Plan	40' (full width) –per Approved Circulation Master Plan

Agreement. This shall be noted on the final plat(s).

ROADWAY AND ACCESS:

Ordinance

- C. The developer shall provide the following street rights-of-way:
- D. The developer shall provide the following dedications to the City of Scottsdale:
 - 1. Trail Easements:
 - a. A minimum 15-foot wide Multi-Use Public Trail and Multi-Use Public Path Easement in conceptual conformance with the MEDCP, case 1-MP-2004, as stipulated.
 - 2. Sight Distance Easements:
 - a. Sight distance easements shall be dedicated over sight distance triangles.
 - b. Refer to the following figures: 3.1-13 and 3.1-14 of Section 3.1 of the City's Design Standards and Policies Manual, published December 1999 or most current edition.
 - 3. Vehicular Non-Access Easements:
 - a. A 1-foot wide vehicular non-access easement along the property frontage on Thompson Peak Parkway, Union Hills Drive, and Bell Road except at the approved driveway and street locations.

4. Vista Corridor Easements:
 - a. All watercourses with a 100 year flow of 750 cfs or greater shall be designated as Vista Corridors and shall generally be left in a natural state, except that a Vista Corridor may incorporate street and utility right-of-way crossings and stormwater management systems, which may include flood control structures, multi-use recreational facilities, and other similar improvements, subject to Development Review Board review.
 - b. The location of the Vista Corridor shall be established by scenic easement with conditions consistent with these stipulations, which easement shall have a minimum average width of 100 feet. The Vista Corridor easement shall be continuous and shall be as designated on the preliminary plat:
5. Public Utility Easements:
 - a. An 8-foot wide public utility easement shall be dedicated along each side of internal streets and Thompson Peak Parkway, Union Hills Drive, and Bell Road. The 8-foot wide easements may be reduced or eliminated upon approval of the public utility companies.
6. Scenic Corridor Easements:
 - a. The Scenic Corridor Easements shall be provided at property frontage on Thompson Peak Parkway except at the approved driveway and street locations with an average width of 30 feet and a minimum width of 25 feet shall be provided for all buildings, walls, parking lots, signage or other development improvements along Thompson Peak Parkway.
7. Drainage Easements:
 - a. The Drainage Easements shall be provided per the applicable drainage plans and/or reports.
8. Water and Sewerline Easements:
 - a. The Water and Sewerline Easements shall be provided per the applicable water and wastewater plans and/or reports.
9. Emergency and Service Vehicle Access Easements:
 - a. The Emergency and Service Vehicle Access Easements shall be provided per applicable fire codes and Circulation Master Plan.

OTHER

- E. The subdivision plat(s) shall be provided in accordance with the Design Standards and Policy Manual (DS&PM).

III. MAP OF DEDICATION REQUIREMENTS FOR BELL ROAD, THOMPSON PEAK PARKWAY, UNION HILLS DRIVE, AND LOOP ROAD.

DEVELOPMENT STANDARDS

DRB Stipulations

5. Bell Road, Thompson Peak Parkway, and Union Hills Drive shall be dedicated by a map of dedication prior to the issuance of any construction permits for Thompson Peak Parkway and Bell Road, except for devegetation permits.
6. The map of dedication shall be provided in accordance with the Design Standards and Policy Manual (DS&PM).

ROADWAY, INTERSECTION, AND ACCESS DEDICATIONS:

Ordinance

F. The developer shall provide the following street rights-of-way:

STREET NAME	STREET TYPE	R.O.W. DEDICATION*
Thompson Peak Pkwy-from North property to Bell Road (Public)	Minor Arterial; per Approved Circulation Master Plan	150' (full width); 75' (half)
Bell Road- 96th to approx. 109th St. (Public)	Minor Arterial; per Approved Circulation Master Plan	110' (full width); 55' (half)
Union Hills Drive (Public)	Minor Arterial	Per Development Agreement

* Except as otherwise provided for in Development Agreement (DA# 2004-026-COS)

IV. SUBDIVISION PLAT REQUIREMENTS EAST OF THOMPSON PEAK PARKWAY (PHASES III & IV)

DEVELOPMENT STANDARDS

DRB Stipulations

- 7. The homeowners' association shall be responsible for the maintenance of the exterior perimeter walls. The developer shall note this requirement on the final plat. Flood walls shall be maintained in accordance with the Development Agreement.
- 8. The final plat shall identify the use and maintenance of all land not used for residential lots.
- 9. With final plat submittal, the developer shall provide any necessary documentation approved by the Scottsdale Municipal Airport demonstrating proper disclosure of the airport will be provided for the property.

Ordinance

- G. All residential plats shall contain notice of the closest distance to the midpoint of the Scottsdale Airport runway in accordance with the zoning case.
- H. The homeowners' association shall be responsible for the maintenance of the Natural Area Open Space (NAOS), scenic corridors, and vista corridors, except as otherwise provided in the Development Agreement. This shall be noted on the final plat(s).

ROADWAY AND ACCESS:

Ordinance

I. The developer shall provide the following street rights-of-way:

STREET NAME	STREET TYPE	RIGHT-OF-WAY
Internal Divided (Private)	Local Residential; per Approved Circulation Master Plan	Width varies; per Approved Circulation Master Plan
Internal Undivided (Private)	Local Residential; per Approved Circulation Master Plan	40' (full width) –per Approved Circulation Master Plan
Loop Road East of TPP (McDowell Foothills Dr.) (Public)	Minor Collector	80' (full width)
104th St. (Public)	Local Collector	50' (full width)

STREET NAME	STREET TYPE	RIGHT-OF-WAY
108th St. (Public)	Local Collector	50' (full width)

EASEMENTS AND DEDICATIONS

Ordinance

- J. The developer shall provide the following dedications to the City of Scottsdale:
1. Trail Easements:
 - a. A minimum 15-foot wide Multi-Use Public Trail and Multi-Use Public Path Easement in conceptual conformance with the MEDCP, case 1-MP-2004, as stipulated.
 2. Sight Distance Easements:
 - a. Sight distance easements shall be dedicated over sight distance triangles.
 - b. Refer to the following figures: 3.1-13 and 3.1-14 of Section 3.1 of the City's Design Standards and Policies Manual, published December 1999 or most current edition.
 3. Vehicular Non-Access Easements:
 - a. A 1-foot wide vehicular non-access easement along the property frontage on Thompson Peak Parkway, Union Hills Drive, and Bell Road except at the approved driveway and street locations.
 4. Vista Corridor Easements:
 - a. All watercourses with a 100 year flow of 750 cfs or greater shall be designated as Vista Corridors and shall generally be left in a natural state, except that a Vista Corridor may incorporate street and utility right-of-way crossings and stormwater management systems, which may include flood control structures, multi-use recreational facilities, and other similar improvements, subject to Development Review Board review.
 - b. The location of the Vista Corridor shall be established by scenic easement with conditions consistent with these stipulations, which easement shall have a minimum average width of 100 feet. The Vista Corridor easement shall be continuous and shall be as designated on the preliminary plat:
 5. Public Utility Easements:
 - a. An 8-foot wide public utility easement shall be dedicated along each side of internal streets and Thompson Peak Parkway, Union Hills Drive, and Bell Road. The 8-foot wide easements may be reduced or eliminated upon approval of the public utility companies.
 6. Scenic Corridor Easements:
 - a. The Scenic Corridor Easements shall be provided at property frontage on Thompson Peak Parkway except at the approved driveway and street locations with an average width of 30 feet and a minimum width of 25 feet shall be provided for all buildings, walls, parking lots, signage or other development improvements along Thompson Peak Parkway.
 7. Drainage Easements:
 - a. The Drainage Easements shall be provided per the applicable drainage plans and/or reports.
 8. Water and Sewerline Easements:
 - a. The Water and Sewerline Easements shall be provided per the applicable water and wastewater plans and/or reports.
 9. Emergency and Service Vehicle Access Easements:

- a. The Emergency and Service Vehicle Access Easements shall be provided per applicable fire codes and Master Circulation Plan.

OTHER

DRB Stipulations

10. The subdivision plats shall be provided in accordance with the Design Standards and Policy Manual (DS&PM).

V. IMPROVEMENT REQUIREMENTS FOR ALL PHASES

LANDSCAPE DESIGN:

DRB Stipulations

11. Upon removal of the salvageable native plants the salvage contractor shall submit completed Native Plant Tracking Form as well as a list identifying the tag numbers of the plants surviving salvage operations to the City's Inspection Services Unit within 3 months from the beginning of salvage operations and/or prior to the issuance of the Certificate of Occupancy.
12. Salvaged vegetation shall be incorporated into the landscape design.
13. Sight distance triangles and sight distance lines shall be shown on final plans for all intersections and medians in accordance with the Design Standards and Policy Manual and the City of Scottsdale's Transportation Department. Area within a sight distance triangle is to be clear of landscaping, signs, or other visibility obstructions with a height greater than 2 feet. Trees within a sight distance triangle shall have a canopy that begins at 7 feet in height upon installation. All heights are measured from nearest street line.
14. Public right-of-way median landscaping and irrigation shall be installed and constructed in accordance with the City of Scottsdale's Supplement to MAG Standard Specification.
15. Public right-of-way median landscaping and irrigation shall be maintained by the developer or homeowners' association for the 104th St & Bell Road development for a period of three years from final acceptance by the City of Scottsdale.
16. All roadway tracts shall be landscaped and maintained by the developer and/or homeowner association.

Ordinance

- K. Landscaping shall be in conceptual conformance to the MEDCP, case 1-MP-2004, as stipulated.
- L. Plant material that is not required to be salvaged under the Native Plant Ordinance shall be salvaged and utilized in conceptual conformance to the revegetation Techniques of the MEDCP and the Zoning Case.
- M. Any new plant material added within the Thompson Peak Parkway, Bell Road, and Union Hills Drive right-of-ways shall be from the Indigenous Plants for ESLO list as required by the Zoning Ordinance.
- N. Any new plant material outside of the Thompson Peak Parkway, Bell Road, Union Hills Drive right-of-way and between the subdivision perimeter wall shall be from the Indigenous Plants for ESLO list as required by the Zoning Ordinance.
- O. All plant materials in right-of-way shall be on the Department of Water Resources (DWR) low water plant list for the Phoenix Active Management Area (AMA).
- P. Any new plant material added to scenic corridors, vista corridor, and natural area open space shall be from the Indigenous Plants for ESLO list as required by the Zoning Ordinance.
- Q. Finish grading of cut and fill slopes shall be rounded to blend with the existing contours of the adjacent natural grades in conceptual conformance to the MEDCP, case 1-MP-2004, as stipulated.

- R. A temporary irrigation system is required in revegetated NAOS areas. This irrigation shall be provided for a period of three years or until plant material has become established at which time the irrigation shall be discontinued.
- S. The landscape plan for any model home(s) shall be submitted for final plans review and approval.
- T. If models homes are provided they shall comply with the City Code regarding the limitation of water intensive landscaping.
- U. All residential common areas shall comply with the City Code regarding the limitation of water intensive landscaping.

TRAILS AND PATHS:

DRB Stipulations

- 17. The developer shall be responsible for coordinating the approved trail alignment in conceptual conformance with the MEDCP, as stipulated, and with the City's Trail Coordinator. The alignment shall be determined prior to submission of final plans.

EXTERIOR LIGHTING DESIGN:

DRB Stipulations

- 18. Other than streetlights, lighting shall not be provided within the natural area open space, scenic corridors easements or vista corridors easement.

Ordinance

- V. Lighting may be provided in conceptual conformance to the MEDCP, case 1-MP-2004, as stipulated, and Zoning Ordinance requirements.

NAOS:

DRB Stipulations

- 19. The developer shall provide a separate NAOS graphic indicating the limits of disturbance, vista corridor easements, and scenic corridor easements, the locations of and provided amounts of undisturbed and revegetated NAOS, with the area of the improvements.
- 20. An updated Master NAOS graphic for the entire 104th St & Bell Road development that includes the calculations indicating the amounts of NAOS required, the amount and locations of undisturbed and revegetated NAOS already dedicated, along with future dedications, shall be submitted with final improvement plans.

Ordinance

- W. FINAL PLANS SHALL NOT BE APPROVED until a NAOS protection program has been submitted and approved.
- X. All areas calculated as NAOS shall be a minimum of 30 feet in width, except along street frontage which shall have a minimum width of 20 feet, and a minimum of 4000 square feet.

WALL AND FENCE

DRB Stipulations

- 21. All finish colors shall return to the project coordinator for staff approval.

Ordinance

- Y. All wall and fence designs shall conceptually conform to the MEDCP, case 1-MP-2004, as stipulated.

BRIDGE/WASH CROSSING AND HEAD WALL DESIGN:

DRB Stipulations

- 22. All finish colors shall return to the project coordinator for staff approval.

Ordinance

- Z. All bridge designs shall conceptually conform to the MEDCP, case 1-MP-2004, as stipulated.

ADDITIONAL PLANNING ITEMS:**DRB Stipulations**

23. Flagpoles, if provided, shall be one piece, conical, and tapered.
24. Finish grades adjacent to walls shall be provided. The walls shall be designed in consideration with the overall massing.
25. As part of the sales of any residential lot adjacent to a public trail, path, or commercial property, the developer shall require that the purchaser to sign an acknowledgement that the property is adjacent to a public trail, path, or commercial property.

Ordinance

- AA. All community buildings, ramadas, site elements, bridges/wash crossing, entry features, signage, and amenities shall conceptually comply with the MEDCP, case 1-MP-2004, as stipulated, and the Zoning Ordinance.
- BB. All main community park buildings, community entry buildings, and community buildings shall conceptually conform to the MEDCP and shall return to the Development Review Board for subsequent approval.
- CC. All Main Community Park landscape concept designs shall conceptually conform to the MEDCP and shall return to the Development Review Board for subsequent approval.

DRAINAGE AND FLOOD CONTROL:**DRB Stipulations**

26. Demonstrate consistency and conformance with accepted drainage plans and reports from Section I, Applicable Documents and Plans.
- a. Any conceptual or substantial changes not consistent with the 104th & Bell Master Drainage Plan; prepared by Argus Consulting, accepted as noted on March 8, 2004, shall require an addendum to this Master Drainage Plan, subject to review and approval by the city staff.
- b. Addendum generated shall be added to the appendix of the Drainage Plan 104th & Bell.
- c. The developer shall submit two (2) hard copies and one (1) compact disc copy of complete final plans/reports prior to final City of Scottsdale approval.
27. Basin Configuration: Basins shall be designed in conformance with the City's DS&PM.
28. Basins shall be designed such that the depth of water does not exceed 3 feet for all storm frequencies up to the 100 year 2 hour event.
29. Basin sideslopes shall not exceed 4:1 (ratio of 4 feet horizontal to 1 foot vertical) wherever practical. Sideslopes greater than 4:1 may be used to lessen disturbance to the site. All basins shall have some portion of their perimeter at a sideslope that does not exceed 4:1.
30. Basins shall be designed to have positive outfall whenever practical. When positive outfall cannot be provided, then mechanical means shall be used to drain the basin. Percolation, including dry wells, shall not be allowed.
31. All 404 jurisdictional delineations shall be shown on the final improvement plans. All areas of disturbance shall be clearly noted. A completed 404 Certification Form shall be submitted with final improvement plans. A copy of the 404 permit from the U.S. Army Corps of Engineers, including an exhibit showing the delineations, shall be submitted prior to approval of final improvement plans. Limits of disturbance and other conditions must be in conformance with the 404 permit.

32. All onsite erosion protection and floodwalls necessary to protect residential structures from flooding, within a given parcel, shall be constructed as infrastructure improvements for that parcel, even if they are located in a different parcel, prior to the issuance of building permits in that parcel.
33. Provide positive drainage away from walks and curbs along all streets.

Ordinance

- DD. On-site stormwater storage is required for the full 100-year, 2-hour storm event. The design of the storage basin capacity shall account for any proposed landscaping improvements. The landscaping improvements within the basins shall not reduce the capacity of the basins under the required volume.
- (1) Basin bleed-off rates shall be set so that the storage basins do not drain completely in less than 24 hours, except as modified by the Master Drainage Plan, prepared by Argus Consulting, accepted as noted 3/8/2004. In all cases, storage basins must drain completely within 36 hours.
 - (2) Infiltration of stormwater through the basin floor is not acceptable as the sole means of draining the basin. Stormwater storage basins should be designed to meter flow to the historic out-fall point. Where an historic out-fall point does not exist (or metering is not possible), other methods of discharge such as pumps, etc. may be considered. Dry wells shall not be used.
 - (3) Stormwater storage basins may not be constructed within utility easements or dedicated right-of-way (exceptions may be granted with written approval from appropriate utility company).
 - (4) Off-site runoff must enter and exit the site as it did historically.
 - (5) All development shall be designed to satisfactorily convey the 100-year peak discharge through the site without significant damage to structures.
- EE. If full storage of the 100 year, 2 hour storm event is not provided, then application for a Stormwater Storage Waiver for this development must be submitted. Approval of the Stormwater Storage Waiver by the City's Stormwater Management Division will be required, and must be obtained prior to submittal of final improvement plans or final plat.
- FF. A parcel specific final drainage report and plan, subject to City staff approval, shall be submitted with the final improvement plans submittal to the Plan Review and Permit Services Division.
- GG. Other Stormwater Storage:
- (1) Underground stormwater storage is prohibited unless approval is obtained from the City's Floodplain Administrator.
 - (2) Drywells are not permitted.
- HH. Street Crossings:
- (1) Watercourse crossings for roads shall be designed to provide for 100-year access to all lots by at least one route. Accessibility will be considered to exist if it can be shown by the engineer that at the time of the peak flow, the depth of flow over the road will not be greater than 1 foot.

ROADWAY, INTERSECTION, AND ACCESS DESIGN:

DRB Stipulations

34. Developer shall submit a Circulation Basis of Design Report to address final geometrics, roadway transitions, and sequencing of roadway infrastructure improvements for Thompson Peak Parkway and Bell Road, to be reviewed and approved by the City, prior to submittal of final improvement plans.
35. Street grades shall not exceed 5% (longitudinal or lateral) for a total distance of 40 feet at all fire hydrant locations.
36. Where a gated entrance is proposed, the developer shall design and construct the gated entrance in conformance with Figure 8.1-1 of the City's Design Standards and Policies Manual, and the approved Circulation Master Plan.

37. The internal streets shall be private. The private street tracts shall be dedicated to provide emergency and service vehicle access and public utility construction and maintenance.
38. Cul-de-sacs and knuckles shall be designed in conformance with the approved Circulation Master Plan. Traffic movements shall be used to determine when centerline radii are applicable versus cul-de-sac/knuckle geometrics.
39. Roadways shall include left and right turn lanes, deceleration lanes, and median breaks as conceptually identified in the approved Circulation Master Plan, unless otherwise approved by the City of Scottsdale Transportation Department General Manager.
40. The developer shall pay in-lieu fees for the construction of that portion of the Reata Drainage Corridor bike path located within the Project prior to issuance of any building permits. An Engineer's Estimate shall be prepared that includes all costs associated with this improvement, including, but not limited to, design, survey, construction and materials, incidental costs, and contingency as required by Scottsdale Revised Code.
41. The developer shall pay in-lieu fees for the construction of Bell Road improvements not constructed with this project, from the westerly limits of the property to approx. 98th St., excluding the Bell Road bridge. The in-lieu fee shall be based on an Engineer's Estimate of the full Bell Road improvements (excluding the bridge) per the roadway section in the approved Circulation Master Plan, less the interim improvements constructed by this development, per the Development Agreement. This fee shall be paid prior to the issuance of any building permits. The Engineer's Estimate shall include all costs related to these improvements, including, but not limited to, design, survey, construction and materials, incidental costs, and contingency as required by Scottsdale Revised Code.

Ordinance

- II. The developer shall submit a detailed striping and signage plan with final plans. The striping and signage plan shall include all existing improvements and striping within 300 feet of the limits of construction, and all signs, striping, or other traffic control devices proposed to accommodate phased and ultimate construction.
- JJ. Public streetlights shall be installed at intersections along Bell Road and Thompson Peak Parkway. The developer shall be responsible for coordinating a street layout and cost estimate with the utility company. Building permits may not be issued until all street light arrangements (including fee requirements) have been made.

REFUSE:

DRB Stipulations

42. If individual (80-gallon) refuse containers are not planned for the development, the site's trash enclosures shall be constructed to City of Scottsdale's Refuse Enclosure detail.

Ordinance

- KK. Underground vault-type containers are not allowed.
- LL. Refuse collection methods, i.e., site plan circulation will be approved at final plan review.
- MM. Refuse collection can be provided by the City of Scottsdale's Sanitation Division, at 480-312-5600.

WATER AND WASTEWATER STIPULATIONS

The following stipulations are provided to aid the developer in submittal requirements, and are not intended to be all-inclusive of project requirements. Water and sewer lines and services shall be in compliance with City Engineering Water and Sewer Ordinance, the Scottsdale Revised Code and Sections 4 and 5 of the Design Standards and Policies Manual.

DRB Stipulations

43. Water and wastewater shall be designed as parallel systems within subdivisions, maintaining consistent separation, and shall be located under the roadway.
44. Whenever looped or outfall lines are required outside the roadway prism, the lines shall be located in a tract (not on a lot) with a 20' water/sewer easement overlaying the alignment. These alignments shall be graded and maintained in a manner that allows access for maintenance purposes, in accordance with the City's Design Standards and Policies Manual.
45. Where walls cross or run parallel with public water mains, public sewer mains, or public fire lines the following shall apply:
 - a. For walls constructed parallel to these pipes, the walls shall be a minimum of six (6) feet from the outside diameter of the pipe.
 - b. For walls constructed across or perpendicular to these pipes, the walls shall be constructed with gates or removable wall panels for maintenance and emergency access.

WATER:**DRB Stipulations**

46. Basis of Design Report (Water):
 - a. The 104th & Bell Water System Basis of Design Report, prepared by Gilbertson Associates, dated 3/31/2004, shall be approved by the City prior to the submittal of final improvement plans.
Ordinance

Ordinance

NN. The water system for this project shall meet required health standards and shall have sufficient volume and pressure for domestic use and fire protection.

WASTEWATER:**DRB Stipulations**

47. Basis of Design Report (Wastewater):
 - a. The 104th & Bell Wastewater Basis of Design Report, prepared by Gilbertson Associates, dated 4/1/2004, shall be approved by the City prior to the submittal of final improvement plans.
Ordinance

Ordinance

OO. Privately owned sanitary sewer shall not run parallel within the waterline easement.

BRIDGE/WASH CROSSING AND HEAD WALL DESIGN**DRB Stipulations**

48. Bridges:
 - a. All drainage crossings, including any configuration of box culverts or pipes that span 20 feet or more (as measured along the roadway centerline) shall be subject to review and approval by City staff.
 - b. With the improvement plan submittal to the Plan Review and Permit Services Division, the developer shall submit two (2) separate copies of the improvement plans, subject to City staff approval, for structural review.
 - c. All finish colors shall return to the project coordinator for staff approval.

Ordinance

49. All bridge designs shall be in conceptual conformance to the MEDCP, case 1-MP-2004, as stipulated.

CONSTRUCTION REQUIREMENTS

DRB Stipulations

As-Built Plans.

- 50. Improvement plans that document all ongoing construction, including, but not limited to, field changes, as-built locations, or other modifications, shall be maintained at the construction site, and shall be made available to City staff for review upon request.
- 51. City staff may request the developer to submit as-built plans to the Inspection Services Division prior to acceptance of construction, or within one year from the date of acceptance.
 - a. As-built plans shall be certified in writing by a registered professional civil engineer, using as-built data from a registered land surveyor.
 - b. As-built plans for drainage facilities and structures shall include, but are not limited to, streets, lot grading, storm drain pipe, valley gutters, curb and gutter, flood walls, culverts, inlet and outlet structures, dams, berms, lined and unlined open channels, storm water storage basins, underground storm water storage tanks, and bridges as determined by city staff.

VI. SUBDIVISION IMPROVEMENT REQUIREMENTS WEST OF THOMPSON PEAK (PHASES I & II)

The following stipulations are provided to aid the developer in submittal requirements, and are not intended to be all inclusive of project requirements. The developer shall submit engineering design reports and plans that demonstrate compliance with city ordinances, the Scottsdale Revised Code and the Design Standards and Policies Manual.

ROADWAY, INTERSECTION, AND ACCESS DESIGN:

Streets and other related improvements:

STREET NAME	STREET TYPE	ROADWAY IMPROVEMENT	CURB TYPE	BIKE PATH, SIDEWALK, TRAILS
Thompson Peak Pkwy-from North property to Bell Road (Public)	Minor Arterial	2 outside lanes north & south bound; median; Section per Approved Circulation Basis of Design Report	Vertical, incl. Median	8' SW/path on both sides
Bell Road- 96 th to TPP (Public)	Minor Arterial	2 inside lanes; median; Section per Approved Circulation Basis of Design Report	Vertical, incl. Median	8' SW/path on North side
Loop Road West of TPP (Private)	Local Collector	Section per Approved Circulation Master Plan and Circulation Basis of Design Report	Roll curb	8' SW & 6' Trail
Internal (Private)	Local Residential	Section per Approved Circulation Master Plan	Roll curb	5' SW one side

DRB Stipulations

- 52. Water service (including fire protection) and emergency vehicle access must be provided prior to issuance of any building permit. Thompson Peak Parkway shall be constructed prior to, or concurrent with, Phase I infrastructure, and shall be completed prior to issuance of any certificate of occupancy.
- 53. Thompson Peak Parkway may be constructed with a contiguous curb on the east side of the road, without deceleration and turn lanes that would provide access to parcels east of Thompson Peak

Parkway in accordance with the approved Circulation Master Plan and Circulation Basin of Design Report.

- 54. Bell Road Improvements shall be constructed prior to, or concurrent with, Phase I infrastructure, and shall be completed prior to issuance of any certificate of occupancy. Improvements shall be in conformance with the approved Circulation Master Plan and the Circulation Basis of Design Report. West Phase improvements shall improve Bell Road from 96th St. to Thompson Peak Parkway, including the intersection of Thompson Peak Parkway and Bell. Water service (including fire protection) and emergency vehicle access must be provided prior to issuance of any building permit.

TRAFFIC SIGNALS:

Ordinance

PP. The developer shall be responsible for all costs associated with the following traffic signal improvements, at the percentages shown, for the following intersections:

Street 1	Street 2	West of TPP
Bell Road	98 th St	50%
Bell Road	Thompson Peak Pkwy	25%
Thompson Peak Pkwy	Loop Rd. (South) (McDowell Foothills Dr.)	50%

The developer shall be responsible for: preparation and approval of final improvement plans, permitting, and construction of these traffic signals. Upon completion of construction, and final acceptance by the City, the developer shall be reimbursed for the remainder of the signal costs that are not the developers' responsibility, per the Development Agreement.

WATER AND WASTEWATER STIPULATIONS:

DRB Stipulations

- 55. Offsite water and wastewater infrastructure (Thompson Peak Parkway and Bell Road alignments) shall be completed and accepted by the City of Scottsdale prior to issuance of any building permits.

TRAILS AND PATH:

DRB Stipulations

- 56. The developer shall be responsible for coordinating the approved trail alignment with the City's Trail Coordinator. The alignment shall be determined prior to submission of final plans.
- 57. The developer shall construct all public trails west of Thompson Peak Parkway per the MEDCP in accordance with the DS& PM.
- 58. The developer shall construct all public paths (sidewalks) per the MEDCP west of Thompson Peak Parkway in accordance with the MAG Standard Details as determined by the Plan Review Staff.
- 59. The developer shall provide signage for all trails per Section 7.3 of the City's DS&PM. The location shall be shown on the final improvement plans.

Ordinance

- QQ. Multi-use Trails and Multi-use path west of Thompson Peak Parkway shall be provided in accordance with the MEDCP, case 1-MP-2004, associated case stipulations and Zoning Ordinance requirements.

VII. SUBDIVISION IMPROVEMENT REQUIREMENTS EAST OF THOMPSON PEAK (PHASES III & IV)

The following stipulations are provided to aid the developer in submittal requirements, and are not intended to be all inclusive of project requirements. The developer shall submit engineering design reports and plans that demonstrate compliance with city ordinances, the Scottsdale Revised Code and the Design Standards and Policies Manual.

ROADWAY, INTERSECTION, AND ACCESS DESIGN:

Streets and other related improvements:

STREET NAME	STREET TYPE	ROADWAY IMPROVEMENT	CURB TYPE	BIKE PATH, SIDEWALK, TRAILS
Thompson Peak Pkwy- from North property to Bell Rd. (Public)	Minor Arterial	Balance of roadway improvements not built with development West of TPP; per Approved Circulation Basis of Design Report	Vertical, incl. Median	8' SW/path on both sides
Bell Road- TPP to approx. 109 th St. (Public)	Minor Arterial	2 inside lanes; median; Section per Approved Circulation Basis of Design Report	Vertical, incl. Median	8' SW/path on North side
Internal (Private)	Local Residential	Section per Approved Circulation Master Plan and Circulation Basis of Design Report	Roll curb	5' SW one side
Loop Road East of TPP (McDowell Foothills Dr.)	Minor Collector	CONSTRUCT APPROXIMATELY THE FIRST FIVE HUNDRED (500) FEET EAST OF TPP TO ACCESS SUBDIVISION ENTRANCES, Cross Section as approved by staff PER APPROVED CIRCULATION MASTER PLAN AND CIRCULATION BASIS OF DESIGN REPORT	Roll curb	Cross Section as approved by staff PER PRELIMINARY PLAT
104 th St.	Local Collector	Constructed to dike; Cross Section as approved by staff SECTION PER APPROVED CIRCULATION MASTER PLAN AND CIRCULATION BASIS OF DESIGN REPORT	Roll curb	Cross Section as approved by staff PER PRELIMINARY PLAT
108 th St.	Local Collector	Constructed to dike; Section per Approved Circulation Master Plan and Circulation Basis of Design Report	Roll curb	Cross Section as approved by staff PER PRELIMINARY PLAT

DRB Stipulations

- 60. The balance of improvements to Thompson Peak Parkway shall be constructed in conformance with the Circulation Basis of Design Report prior to, or concurrent with, Phase III or Phase IV infrastructure, and shall be completed prior to issuance of any certificate of occupancy. Water service

(including fire protection) and emergency vehicle access must be provided prior to issuance of any building permit.

- 61. Bell Road Improvements shall be constructed prior to, or concurrent with, Phase III or Phase IV infrastructure, and shall be completed prior to issuance of any certificate of occupancy. Improvements shall be in conformance with the Circulation Basis of Design Report. East Phase improvements shall improve Bell Road from Thompson Peak Parkway to the easterly limits at approx. 109th St. Water service (including fire protection) and emergency vehicle access must be provided prior to issuance of any building permit.
- 62. Loop Road east of Thompson Peak Parkway (McDowell Foothills Dr.) shall provide unrestricted public access (not gated) from Thompson Peak Parkway to the easterly property line (104th St. alignment).
- 63. Loop Road east of Thompson Peak Parkway (McDowell Foothills Dr.) shall be designed such that it is the "through movement", without requiring turning movements, from Thompson Peak Parkway to the 104th St. alignment. All internal streets accessed from the Loop Road (McDowell Foothills Dr.) shall be designed as "side streets", intersecting perpendicularly with the centerline of McDowell Foothills Dr. (creating "T" intersections).

TRAFFIC SIGNALS:

Ordinance

RR. The developer shall be responsible for all costs associated with the following traffic signal improvements, at the percentages shown, for the following intersections; payment shall be made to the City of Scottsdale prior to the issuance of permits for Phase III:

Street 1	Street 2	East of TPP
Bell Road	Thompson Peak Pkwy	25%
Thompson Peak Pkwy	South Loop Rd. (McDowell Foothills Dr.)	50%

WATER AND WASTEWATER STIPULATIONS

The following stipulations are provided to aid the developer in submittal requirements, and are not intended to be all-inclusive of project requirements. Water and sewer lines and services shall be in compliance with City Engineering Water and Sewer Ordinance, the Scottsdale Revised Code and Sections 4 and 5 of the Design Standards and Policies Manual.

DRB Stipulations

- 64. Offsite Water and wastewater infrastructure (Thompson Peak Parkway and Bell Road alignments, shall be completed and accepted by the City of Scottsdale prior to issuance of any building permits.

TRAILS AND PATH:

DRB Stipulations

- 65. The developer shall be responsible for coordinating the approved trail alignment with the City's Trail Coordinator. The alignment shall be determined prior to submission of final plans.
- 66. The developer shall construct all public trails east of Thompson Peak Parkway per the MEDCP in accordance with the DS& PM.
- 67. The developer shall construct all public paths (sidewalks) per the MEDCP east of Thompson Peak Parkway in accordance with the MAG Standard Details as determined by the Plan Review Staff.
- 68. The developer shall provide signage for all trails per Section 7.3 of the City's DS&PM. The location shall be shown on the final improvement plans.

Ordinance

SS. Multi-use Trails and Multi-use path east of Thompson Peak Parkway shall be provided in accordance with the MEDCP, case 1-MP-2004 as stipulated, and Zoning Ordinance requirements.